

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ADVANCE WATCH CO., LTD.,

Plaintiff,

Case No. 05-74463

District Judge Denise Page Hood

Magistrate Judge R. Steven Whalen

DEVAL PRODUCTS, LLC.,

Defendant,

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ORDER REGARDING SETTLEMENT CONFERENCE

On December 4, 2006, the Court filed and sent to the parties an Amended Notice of Settlement Conference, setting December 13, 2006, as the date for the settlement proceedings. In that Notice, the Court stated, "All parties with settlement authority are required to be present." It has come to the Court's attention that there is some confusion as to whether the insurance representative/adjustor for Plaintiff's insurance policy is required to be present. Defendant's counsel has indicated that Plaintiff's insurance representative/adjustor has agreed to be available by telephone.

In conducting settlement conferences, it is the expectation of the Court that all parties will participate fully and in good faith with the view to reaching a settlement. With that end in mind, it is important that all parties and all individuals who have full settlement authority, including representatives of insurance companies, to be present at the conference. Availability by telephone, while sometimes permissible, is a less than optimal way to conduct a settlement conference.

Therefore, to the extent that the Court's Amended Notice of Settlement Conference was

unclear, all parties and individuals with full settlement authority, including insurance representatives/adjustors, shall be present at the Settlement Conference scheduled for December 13, 2006. The telephonic participation of parties or individuals with full settlement authority shall not be permitted.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: December 6, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on December 6, 2006.

S/Gina Wilson
Judicial Assistant